REMARKS

In accordance with the foregoing, claims 17, 19, 23, 28, and 32 have been amended. Claims 1-19 have been allowed. Claims 23, 32, 34-41 are objected. Claims 1-41 are pending and under consideration.

REJECTION OF CLAIMS:

Claims 19-20, 22, 24-27, 28-20, and 33 are rejected under 35 U.S.C. under 35 U.S.C. §103(a) as being unpatentable over Westerman (U.S. Patent No.6,510,242) in view of Braun et al. (U.S. Patent Publication No. 2004/0109180.This rejection is respectfully traversed for the following reasons.

Regarding claims 19 and 28, the Office Action acknowledges that Westerman does not teaches a clolor gamut decision unit determining a displayable scope of color chroma based on the change rates of the RGB color signal.

Claims 19 and 28 have been amended to recite "a detection unit detecting the RGB color signal changing in a color space of the RGB color signal according to changes of the color difference signal" and "detecting the RGB color signal changing in a color space of the RGB color signal according to changes of the color difference signal", respectively.

As such, for at least the above amendment, it is respectfully submitted that independent claims 19, and 28 are allowable over Westerman, and Braun et al. or any hypothetical combination thereof, and withdrawal of this rejection and allowance of these claims are earnestly solicited.

Further for at least the reason that claims 20-21, 23-27 and 29-30, 32-33 depend from claims 19, and 28, respectively, it is respectfully submitted that these claims are also allowable of Westerman, and Braun et al.

Regarding claims 22, and 31, are rejected under 35 U.S.C. §103(a) as being unpatentable over Westerman (U.S. Patent No.6,510,242) in view of Braun et al. (U.S. Patent Publication No. 2004/0109180) and further in view of Lawrence (U.S.Patent No. 3,564, 226).

The Office Action acknowledges that Braun does not teach processing data without memory. However, the Office Action asserts that Lawrence teaches "processing data without memory."(see col. 1 lines 52-57)

As noted by MPEP 2143.01, an unsubstantiated statement that existing elements could be combined as it was in the skill of the art to do so does not provide a basis for a rejection

under 35 U.S.C. 103(a). Instead, in order to establish a prima facie case for obviousness, the rejection must detail the existence of the individual elements at the time of invention, that there was an existing motivation to combine these elements contained in the then existing art, and that this motivation is beyond an unsupported statement that the combination of these elements was within the skill of the art. In essence, there needs to be proof that such a motivation exists, not conjecture. This rigorous proof is required in order to prevent the trap of impermissible hindsight.

By way of example, MPEP 2143.01 interprets In re Fine, 5 USPQ2d 1596 (Fed. Cir. 1988) as a case where an Examiner applied two references to create the recited invention. Both the Examiner and the Board of Appeals agreed that it would have been within the skill of the art to make the asserted combination by substituting one detector for another detector. The Federal Circuit reversed on the grounds that the possibility that a combination can be made does not provide sufficient evidence as to why one of ordinary skill in the art, based on the teachings in the references, would be motivated to combine the references. Specific emphasis was made by the Federal Circuit that the suggestion needs to come from the prior art. In re Fine, 5 USPQ2d at 1599-1600.

Further, the Federal Circuit in In re Zurko, 59 USPQ2d 1693 (Fed. Cir. 2001) explicitly held there must be evidence in the record that a claim limitation is met from the prior art in order to sustain an obviousness rejection. In In re Zurko, the Board of Patent Appeals and Interference had upheld an obviousness rejection since the combination was "basic knowledge" and "common sense" to one of ordinary skill in the art. The Federal Circuit overturned the Board's decision by noting that there was no evidence in the prior art disclosing that the combination would have been "basic knowledge" or "common sense," and that the Board "must point to concrete evidence in the record to support these findings." Id. at 1697-98.

As there is no proof of a motivation to utilize the color gamut decision unit determines the displayable scope of the color chroma of the input image signal to display a color signal identical to the input image signal with a memory to store coordinate values when calculating a chroma scope is closed in both Westerman and Braun et al. to a digital processing system of relatively high speed operation, particularly with successive operations that are performed without use of the memory element as disclosed in Lawrence, it is respectfully submitted that there is insufficient evidence of a motivation to combine these references to support a prima facie argument for an obviousness rejection of claims 22, and 31.

OBJECTIONS TO THE CLAIMS:

In the Office Action at page 5, claims 23, 32, 34-41 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the above amendments, it is respectfully requested that the Examiner reconsider the objection.

ALLOWABLE SUBJECT MATTER:

Claims 1- 19 have been allowed.

CONCLUSION:

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 4-6, 2006

By: _____

Gene M. Garner, II
Registration No. 34,172

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501